

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
ES Shane Valley Court * ZONING COMMISSIONER
260' S Anderson Road *
3 Shane Valley Court * OF BALTIMORE COUNTY
7th Election District *
3rd Councilmanic District * Case No. 89-297 A
James Edward Alderman, et ux *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 103.3 (1A00.3.B.3) to allow a side yard setback of 43 feet in lieu of the required 50 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, James Edward Alderman and wife, appeared and testified. There were no Protestants.

Pased upon the evidence and testimony presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of January, 1989 that the Petition for Zoning Variance from Section 103.3 (1A00.3.B.3) to allow a side yard setback of 43 feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
Date 1/30/89
By J. Robert Haines

JRH/mm
cc: Peoples Counsel

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103.3 (1A00.3.B.3) To allow a side yard setback of 43 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Proposed house is in keeping with other houses in development in terms of size and style.

House, as now designed, is under contract with builder.

Adjoining house would not be impacted by the variance, as requested.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) LINDA RENEE ALDERMAN
Signature: (Type or Print Name)
Address: JAMES EDWARD ALDERMAN
City and State: (Type or Print Name)
Attorney for Petitioner: 1633 CHILTON ST 301 889 6141
(Type or Print Name) Address Phone No.
Signature: BALTIMORE, MD 21218
Address City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State Name
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of January, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of January, 1989, at 2:00 o'clock P.M.
J. Robert Haines
Zoning Commissioner of Baltimore County.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 16, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan 12, 1989.

THE JEFFERSONIAN
TOWSON TIMES,
S. Zehe Obern
Publisher

PO 08950
reg M25167
case 89-297-A
price \$95.29

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:
Petition for Zoning Variance
Case Number: 89-297-A
ES Shane Valley Court, 260' S Anderson Road
3 Shane Valley Court
7th Election District
3rd Councilmanic District
Petitioner(s): James Edward Alderman, et ux
Hearing Date: Friday, Jan. 27, 1989 at 2:00 p.m.
Variance: to allow a side yard setback of 43 feet in lieu of the required 50 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
01/09/89 Jan. 12

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 7th Date of Posting: 1/18/89
Posted for: Variance
Petitioner: James E. Alderman et ux
Location of property: ES Shane Valley Court, 260' S Anderson Rd.
3 Shane Valley Court
Location of Signs: Signs placed on Shane Valley Ct. Rd. across 15th road, on corner by J. Alderman
Remarks:
Posted by: J. Robert Haines Date of return: 1/19/89
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

December 27, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-297-A
ES Shane Valley Court, 260' S Anderson Road
3 Shane Valley Court
7th Election District - 3rd Councilmanic
Petitioner(s): James Edward Alderman, et ux
HEARING SCHEDULED: FRIDAY, JANUARY 27, 1989 at 2:00 p.m.

Variance to allow a side yard setback of 43 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Alderman
File

AC
AZIMUTH CONSULTANTS

ZONING DESCRIPTION

Beginning on the East side of Shane Valley Court, a 50' right-of-way, at a distance of 275' southerly from the edge of Anderson Road, a 60' right-of-way. Being Lot 27 in the subdivision of "Shane Valley" recorded in Plat Book E.H.K. Jr. No. 40 folio 48. Also known as 3 Shane Valley Court in the 7th Election District.

Containing 52,800 square feet or 1.21 acres of land.

120 Cockeysville Road / Suite 105 / Hunt Valley, Maryland 21031 / (301) 785-2300

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Alderman
1633 Chilton Street
Baltimore, Maryland 21218

Re: Petition for Zoning Variance
CASE NUMBER: 89-297-A
ES Shane Valley Court, 260' S Anderson Road
3 Shane Valley Court
7th Election District - 3rd Councilmanic
Petitioner(s): James Edward Alderman, et ux
HEARING SCHEDULED: FRIDAY, JANUARY 27, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Alderman:

Please be advised that 16.29 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 065770

DATE 1-27-89 ACCOUNT 5-01-215-000

AMOUNT \$ 110.29

RECEIVED BY J. Robert Haines

FOR Posting & Advertising (89-297-A)

8 5104*****110215-000

VALIDATED BY SIGNATURE OF CASHIER

DATE 1-27-89

RECEIVED BY J. Robert Haines

FOR Posting & Advertising (89-297-A)

8 5104*****110215-000

VALIDATED BY SIGNATURE OF CASHIER

DATE 1-27-89

RECEIVED BY J. Robert Haines

FOR Posting & Advertising (89-297-A)

8 5104*****110215-000

VALIDATED BY SIGNATURE OF CASHIER

DATE 1-27-89

RECEIVED BY J. Robert Haines

FOR Posting & Advertising (89-297-A)

8 5104*****110215-000

POST(S) RETURNED
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89-297-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
16th day of November, 1987.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: James E. Alderman, et ux
Petitioner's Attorney: _____

Received by: _____
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2386
494-4500

Paul H. Reincke
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: James Edward Alderman, et ux

Location: 85 Shane Valley Court, 260' S of Anderson Road
Item No.: 152 Zoning Agenda: Meeting of 11/15/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* NOTED: *John E. O'Neill*
Planning Group APPROVED: Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 19, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. James E. Alderman
1633 Chilton Street
Baltimore, Maryland 21218

RE: Item No. 152, Case No. 89-297-A
Petitioner: James E. Alderman, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt
Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3534

November 25, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ZAC - Meeting of November 15, 1988
Item Nos. 152, 183, 184, 186, 187, 188, 189, and 190.

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 152, 183, 184, 186, 187, 188, 189, and 190.

Michael S. Flahigan
Michael S. Flahigan
Traffic Engineer Associate II

MSE/lvw

RECEIVED
NOV 29 1988
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-4533

J. Robert Haines
Zoning Commissioner

January 30, 1989

Mr. and Mrs. James Edward Alderman
1633 Chilton Street
Baltimore, Maryland 21218

RE: Petition for Zoning Variance
Case No. 89-297A

Dear Mr. and Mrs. Alderman:

Enclosed please find the decision rendered on the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3591.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmn
att.
cc: Peoples Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner

Pat Keller, Deputy Director
FROM: Office of Planning & Zoning

Date: January 23, 1989

SUBJECT: Zoning Petition Nos. 89-292-A (Tripec Assoc.); 89-293-1A (Brune); 89-294 (Manor Health); 89-296-A (Chasara); 89-297-2A (Alderman); 89-298-A (Galeonville Espliat); 89-300-A (Hall); 89-301-A (Boegner)

The Office of Planning and Zoning has no comment on the above petitions.

PK/st

RECEIVED
JAN 25 1989
ZONING OFFICE